


DALE STEIN,)	No. C 11-1243 JSW (PR)
)	
Plaintiff,)	ORDER ON PENDING MOTIONS
)	
v.)	
)	
G. WOODS; DR. ARTHUR F. MAJOR;)	
DR. R. NORTON; STANLAKE K. YE;)	
G. ELLIS; N. WARREN,)	
)	(Docket Nos. 13, 14)
Defendants.)	
)	

Plaintiff has filed a motion for summary judgment (docket number 13), which is DENIED because he did not serve it upon defendants. Plaintiff may file the motion again or he may simply raise the arguments raised therein when he opposes the motion for summary judgment that defendants intend to file, but he must serve any paper he files upon defendants if he wishes to have it considered. Plaintiff has also filed a motion to deny defendants request for qualified immunity. In their motion for a protective order, defendants indicate that they intend to argue for qualified immunity in a future motion.

1 When and if they do, the Court will consider Plaintiff's arguments against such a
2 defense. As they have yet to plead or assert such a defense in any motion, however,
3 Plaintiff's motion (docket number 14) is DENIED as premature.

4 IT IS SO ORDERED.

5 DATED: October 18, 2011

6 
7 JEFFREY S. WHITE
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

DALE RICHARD STEIN,
Plaintiff,

Case Number: CV11-01243 JSW

CERTIFICATE OF SERVICE

v.

G WOODS et al,

Defendant.

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on October 18, 2011, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Dale R. Stein
S.V.S.P.
P.O. Box 1050
J82424
Soledad, CA 93960

Dated: October 18, 2011



Richard W. Wieking, Clerk
By: Jennifer Ottolini, Deputy Clerk